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Letter dated 24 February 2015 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you a letter from the representative of the Syrian Coalition dated 24 February 2015 (see annex).

I would be grateful if you could have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mark **Lyall Grant**

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Annex to the letter dated 24 February 2015 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

On behalf of the National Coalition of Syrian Revolution and Opposition Forces (Syrian Coalition), it is my grave responsibility to draw your attention to the atrocities unfolding across eastern Ghouta and Aleppo, and the urgent need for Security Council action to stop the Syrian regime's relentless slaughter of civilians, in direct violation of Security Council resolutions 2139 (2014), 2165 (2014) and 2191 (2014).

The humanitarian situation in eastern Ghouta is catastrophic. Shortly after the Assistant Secretary General for Humanitarian Affairs briefed the Security Council on 28 January 2015, Syrian regime forces launched a series of savage attacks on the opposition-held towns of Duma, Saqba, Hamoryah and Erbin, deploying indiscriminate barrel bombs, heavy artillery and surface-to-surface missiles on marketplaces and civilian residences. These attacks are part of a systematic campaign to wipe out dissent in eastern Ghouta and cleanse the area of suspected opposition sympathizers. In the first 10 days of these attacks, 183 people were killed, of whom 55 were women and children.

A similarly deadly attack is currently under way in Aleppo and its outskirts. On 29 January, 14 civilians were killed following airstrikes by regime aerial forces on the Al Bab areas of Aleppo governorate. On 17 February, Syrian regime forces backed by Hezbollah militias, attacked several villages north of Aleppo. Those attacks resulted in the deaths of at least 92 civilians, including 7 women and 26 children. The effort, which is ongoing, is part of a transparent attempt to besiege civilian-occupied areas in Aleppo and undercut the initiative of the Special Envoy of the Secretary-General for Syria to halt the violence in Syria's second-largest city.

The actions perpetrated in Aleppo and eastern Ghouta constitute war crimes and crimes against humanity. They violate the fourth Geneva Convention, to which Syria is a party, as well as Security Council resolutions 2139 (2014), 2165 (2014) and 2191 (2014), all of which prohibit the use of barrel bombs by Syrian regime forces.

The war crimes perpetrated by Syrian regime forces are, according to the Independent International Commission of Inquiry on the Syrian Arab Republic, being conducted as a "matter of State policy" (see A/HRC/28/69). This State policy has resulted in over 210,000 deaths, caused 12.2 million Syrians to be in need and forced 11.4 million people from their homes, 3.8 million of whom are currently living in refuge in neighbouring States. It has also have given rise to extremist groups. Over the past 50 days, extremist terrorist groups represented by the so-called Islamic State of Iraq and the Levant (ISIL) and the Al Nusra Front have executed no less than 103 people in seven provinces. The Syrian National Coalition and our partner on the ground, the Free Syrian Army, unequivocally condemn these twisted terrorist groups and we will continue to work to rid them from our lands.

But make no mistake: the conflict in Syria, and the rapid proliferation of terrorist groups like ISIL, will not end until the international community takes action to stop the Syrian regime's atrocities. Terrorists like ISIL will continue to rape, kill and terrorize innocent civilians as long as impunity continues to reign in Syria and as long as the Syrian regime continues to breed hate and insecurity. To stop ISIL and its brethren, the Security Council must take comprehensive action to

end the culture of impunity in Syria and hold war criminals responsible for war crimes and crimes against humanity. This requires that the Security Council take steps to:

- **Condemn and prevent the regime's use of indiscriminate force in eastern Ghouta and Aleppo.** The Security Council should express in writing its commitment to enforce international law and adopt a new, strong and enforceable resolution that acts as a real deterrent against future atrocities in eastern Ghouta, Aleppo and elsewhere.

- **Refer the situation in Syria to the International Criminal Court and make public the names of suspected war criminals.** In March 2015, the Independent Commission of Inquiry for the Syrian Arab Republic will deliver its fifth list of alleged perpetrators to the United Nations High Commissioner for Human Rights. For the sake of justice and to prevent future atrocities, the Security Council should call on the Commission of Inquiry to make these names public and refer the situation in Syria to the International Criminal Court.

- **Enforce the mandate of Security Council resolutions 2165 (2014) and 2191 (2014).** Despite the adoption by the Security Council of resolutions 2191 (2014) and 2165 (2014), the Syrian regime continues to obstruct the delivery of urgently needed aid to besieged areas and to impose administrative obstacles that prevent the movement of humanitarian assistance to hard-to-reach areas. United Nations agencies also continue to fail to meet the needs of the more than 3 million Syrians trapped behind borders. The Security Council should demand the full implementation of its resolutions 2139 (2014), 2165 (2014) and 2191 (2014) and call on United Nations agencies to upscale their assistance across Syria's border with Turkey and Jordan.

- **Increase humanitarian commitments to the Syrian people.** Humanitarian donations to Syria are failing to meet the growing needs of civilians inside and outside of Syria. On 31 March, the Third International Humanitarian Pledging Conference for Syria will take place in Kuwait City. Past pledging conferences in 2013 and 2014 raised $1.5 billion and $2.4 billion, respectively. This year, far more is needed. On behalf of the people of Syria, we ask that members of the Security Council increase their commitments at this year's pledging conference to ensure that the Regional Refugee and Resilience Plan and the Strategic Response Plan for Syria meet the United Nations goal of raising $8.4 billion to help nearly 18 million people in Syria and the region.

Without these actions, the conflict in Syria will continue, and more innocent lives will be lost. By employing comprehensive action today, the Security Council can effectively end the slaughter in eastern Ghouta and Aleppo and lay the foundation for a peaceful solution to the conflict. The achievement of such a solution remains the core objective of the Syrian Coalition's work, and it is why, on 15 February 2015, the General Assembly of the Syrian National Coalition approved a 13-item document of basic principles for a political settlement to the Syrian conflict (see enclosure). Our goal remains to achieve a political solution to the conflict based on the Geneva Communiqué, and thereby lay the foundations for a future Syria that is free of terrorists and the tyranny that foments it. The Security Council must demonstrate its commitment to this goal by taking concrete steps to achieve it.

(*Signed*) Najib **Ghadbian**

Enclosure

National Coalition of Syrian Revolution and Opposition Forces

2015 Statement of Basic Principles for a Political Settlement in Syria

1. Negotiations for a political settlement shall be resumed under the auspices of the United Nations on the basis of what has been agreed to at the Geneva II Conference on Syria (held in January and February 2014) and based on the relevant Security Council resolutions, particularly resolutions 2042 (2012), 2043 (2012), 2059 (2012) and 2118 (2013), and the final communiqué of the Action Group for Syria of 30 June 2012, known as the "Geneva Communiqué".

2. The fundamental goal of the negotiations shall be the implementation of the Geneva Communiqué, with all of its provisions, in accordance with paragraphs 16 and 17 of Security Council resolution 2118 (2013), which was adopted unanimously in 2013, beginning with the establishment of a transitional governing body with authority to exercise full executive powers, including the powers of the President, the ministries and the bodies and institutions of the State, including the army and the armed forces, intelligence agencies and all branches of the security services and police.

3. The purposes of the political process are: to change, fully and comprehensively, the current political regime, including the head of the regime, its lead figures and its security mechanisms, and establish a civil and democratic system based on peaceful transfer of power, political pluralism and the guarantee of the rights and responsibilities of all Syrians on the basis of equal citizenship.

4. The successful achievement of the objectives of the negotiations requires: the commitment of regional and international parties, the commitment of both sides of the negotiations to abide by the legal obligations in accordance with international law and Security Council resolutions, the full implementation of all legal obligations under international humanitarian and human rights law to alleviate the suffering of all Syrian civilians without any discrimination and the alleviation of the onerous humanitarian situation on the basis of Security Council resolutions 2139 (2014), 2165 (2014), and 2191 (2014).

5. The immediate cessation of all killings, bombings, targeting of civilians, detention, torture and forced migration constitutes an essential condition to beginning negotiations. Before beginning negotiations, we must also assess compliance with the Universal Declaration of Human Rights and the Security Council resolutions on Syria, including a ceasefire, the release of detainees and abductees, the lifting of the siege on civilians, the facilitation of the delivery of aid, the return of displaced persons and refugees to their homes and respect for public freedoms.

6. The agreement for a political settlement, as an outcome of negotiations conducted under the auspices of the United Nations, shall include a declaration of an interim constitution, which shall be the foundation for the process of implementing all matters relating to the transitional phase, steps and stages, including the work of the transitional governing body, the conference for national consensus and the constituent assembly.

7. The transitional governing body shall be the only legal, legitimate representative of the sovereign Syrian State over its entire territory, according to the agreement for a political settlement, and shall be responsible for:

(a) Maintaining the sovereignty of the Syrian State, its independence, and its complete territorial integrity, and taking the necessary actions and decisions leading to the immediate withdrawal of all foreign militias, foreign military, foreign agencies and organizations, and foreign fighters from Syria;

(b) The right to represent the Syrian State in international forums, conducting foreign affairs and relations with other States and regional and international organizations, and adherence to international conventions signed by the Syrian Government, and shall be authorized to do so exclusively;

(c) Creating a neutral environment and independent standards for a specified period of time (to be agreed upon) to enable the launch of the political transition process in order to meet the legitimate aspirations of the Syrian people for freedom and dignity. This shall be the initial main task of the transitional governing body in accordance with paragraphs 16 and 17 and annex II of Security Council resolution 2118 (2013);

(d) Stopping all forms of violence; withdrawing all military forces, armed groups and their instrumentalities from populated areas; developing a plan to integrate revolutionary military forces into the army, the police and the security sector after the restructuring of both military and security institutions according to new rules, or integrating them into the civil and public service sectors by which the transitional governing body implements, supervises and guides the cessation of violence in all its forms; and taking the necessary steps to protect civilians and achieve security and stability, in the presence of United Nations observers;

(e) Ensuring the continuity of the work carried out by the ministries, institutions and public service committees, while re-evaluating their role and structure; reforming the organizational structure and defining their functions; and reviewing staffing and work systems in accordance with professional standards, the rule of law and human rights standards;

(f) The adoption of a comprehensive reconstruction plan; facilitating the return of displaced persons and refugees to their areas, while ensuring access to humanitarian and medical assistance to all areas, securing treatment for the wounded and working to create an international fund for this purpose through a donors' conference;

(g) The immediate release of all prisoners detained for reasons connected to the revolution, political prisoners, prisoners from the non-violence movement and activists; revealing the fate of the missing and abducted; considering all penal provisions, civil judgments and terrorist court judgments based on charges for participating in the revolution and political work as from 15 March 2011 null and void and without any legal consequence. Compensation will be issued for those who were harmed;

(h) General amnesty for all political prisoners and detainees from before the revolution. All charges against them on the basis of political activity as from 15 March 2011 shall be considered null and void and without any legal consequence. Compensation will be issued for those who were harmed;

(i) The abolition of all laws or legislative decrees issued after the 1963 coup if they contradict the provisions of the Universal Declaration of Human Rights and the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, including Law 49 of 1980 and article 16 of Legislative Decree No. 14 of 1969;

(j) Reviewing the conditions of prisons, detention centres and detention facilities in accordance with international human rights standards, providing a clear account of their location and allowing access to international monitoring organizations;

(k) Creating measures for interrogation and accountability of officials and perpetrators of war crimes, crimes against humanity and violations of human rights, in order to achieve justice and promote the transition towards peace and stability;

(l) The formation of a reconciliation commission, which shall be responsible for: consolidating the principles of transitional justice, resolving disputes arising from the crisis, consolidating civil peace, avoiding conflicts that lead to the outbreak of violence and providing international support for such through United Nations organizations.

8. The transitional governing body shall take action and determine the requirements for holding a conference on national consensus involving all Syrian society components of Arabs, Kurds, Turkmens, Assyrians and others, and also representatives of political, revolutionary and civil forces and independent figures, in order to develop principles on which the new constitution will be based.

9. The transitional governing body will organize elections with international monitoring, according to the electoral system adopted in the agreement for a political settlement, so as to choose the members of the constituent assembly, which shall be in charge of preparing the new constitution for Syria.

10. The transitional governing body shall call for a referendum on the new constitution, conducted with United Nations monitors.

11. The transitional governing body shall supervise the elections in accordance with the agreement for a political settlement, to be free, fair and pluralistic, as stipulated in the approved constitution, and under the supervision of the constituent assembly, the United Nations, and international and civil society organizations.

12. The transitional governing body shall commit, in accordance with the agreement for a political settlement, to these provisions and the following actions:

(a) Taking effective steps to ensure the participation of all components of the Syrian people in the transitional process, working to build trust and mutual respect and promoting consensus among political and social forces in line with the unity and stability of the Syrian State;

(b) The adoption of an integrated strategy to end the violence, combat terrorism and protect society from slipping into sectarian and ethnic conflicts;

(c) Guaranteeing freedom of expression; the right to form associations, civil society organizations and political parties; freedom of assembly; the right to peaceful protest and demonstrations; and freedom of the media and the flow of information;

(d) Ensuring equal citizenship rights for all Syrians, without any discrimination, and the full and complete participation of Syrian women, with all rights and responsibilities.

13. General provisions:

(a) The transitional governing body shall work in coordination with the Security Council and the United Nations to achieve compliance with its decisions and secure the necessary Arab, regional and international support;

(b) The transitional governing body shall develop impartial and independent standards approved by the Security Council to ensure the implementation of the agreement for a political settlement and the full implementation of paragraphs 16 and 17 of Security Council resolution 2118 (2013);

(c) In the event of non-compliance with the agreement, measures under Chapter VII of the Charter of the United Nations shall be invoked, as stipulated in paragraph 21 of Security Council resolution 2118 (2013);

(d) The transitional governing body shall be dissolved immediately upon the election and seating of an executive body with constitutional powers;

(e) The constituent assembly shall be dissolved upon an elected parliament holding its first session under the constitution.